

SUBSTITUTE DECLARATION

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD FOR DETECTING THE PRESENCE OF A SINGLE TARGET NUCLEIC ACID IN A SAMPLE, the specification of which ☐ is attached and/or ☒ was filed on March 11, 2004, as United States Application No. 10/798,857 and Confirmation No. 7179 and was amended on March 11, 2004; February 3, 2005; July 9, 2007; October 31, 2007; December 11, 2008; September 21, 2009; and July 1, 2010.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C.	
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO


I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)
10/131,854	April 25, 2002	Patented
09/563,714	May 2, 2000	Patented
08/838,262	April 17, 1997	Patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor James F. Brown	Inventor's Signature 	Date 9-15-10
Residence 740 Lantana Avenue, Clearwater Beach, FL 38767	Citizenship US	
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Residence 7516 Arrowood Road, Bethesda, MD 20817		Citizenship US
Post Office Address Same as above		

gm

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Full Name of Second Inventor Jonathan E. Silver	Inventor's Signature <i>Jonathan E. Silver</i>	Date 8/27/10
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